

NOT FOR PUBLICATION

IN THE DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

| | | |
|-----------------------------------|---|-------------------|
| CHESTER CROMWELL, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | Civil No. 2007-56 |
| |) | |
| INNOVATIVE COMMUNICATION, INC., |) | |
| d/b/a INNOVATIVE TELEPHONE, d/b/a |) | |
| VITELCO, |) | |
| |) | |
| Defendant. |) | |
| |) | |

APPEARANCES:

Chester Cromwell

P.O. Box 303297, St. Thomas, U.S.V.I. 00803
Pro se plaintiff,

**Innovative Communication, Inc. d/b/a Innovative Telephone d/b/a
Vitelco**

St. Thomas, U.S.V.I.
Pro se defendant.

ORDER

GÓMEZ, C.J.

Upon review of the record, the Court notes that the file contains no proof of service upon, nor entry of appearance on behalf of Innovative Communication, Inc. d/b/a Innovative Telephone d/b/a Vitelco (the "Defendant") in this matter. It does not appear that service of the complaint has been made within 120 days after the filing of the complaint on March 22,

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2007, as required by Federal Rule of Civil Procedure 4(m). The premises considered, it is hereby

ORDERED, that the plaintiff shall, no later than Monday, July 13, 2009, either file proof of service on the defendants or show cause why this action should not be dismissed for lack of timely service; and it is further

ORDERED that a failure to file proof of service or show cause by the designated deadline may result in dismissal of this action.

s_____
CURTIS V. GÓMEZ
Chief Judge